

See also

REMARKS

09/466,006
09/334,858

Prior to examination of this preliminary application, the applicants respectfully request entry and consideration of the above amendments and following remarks. By virtue of this preliminary amendment, claims 56-73 are pending, claims 1-55 have been canceled without prejudice or disclaimer, and new claims 56-73 have been added. Consideration and allowance of all of the claims in view of the above amendments and the following remarks are respectfully requested.

Claims 1-55 have been canceled without prejudice or disclaimer, since canceled claims correspond to claims 1-55 in co-pending U.S. Patent Application Serial No. 09/334,858, filed on June 16, 1999, and entitled "External Infusion Device with Remote Programming, Bolus Estimator and/or Vibration Alarm Capabilities," in which the applicants are pursuing the subject matter of canceled claims 1-55. Accordingly, claims 1-55 are not being cancelled for reasons of patentability, as described in the recent Festo case.

Claims 56-73 have been added by this amendment. No new matter has been added. Support for the new claims can be found on pages 9, 10, 12-19 and 25-38 of the instant application. It is respectfully submitted that claims 56-73 are in condition for allowance.

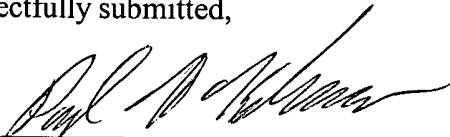
Examination and consideration of the application, as amended, are requested.

10066338-013102

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is invited to call the undersigned attorney at (818) 576-5313 should the Examiner believe a telephone interview would advance the prosecution of the application.

Respectfully submitted,

Dated: January 31, 2002

By: 
Paul H. Kovelman
Reg. No. 35,228

Medtronic MiniMed, Inc.
18000 Devonshire St
Northridge, CA 91325-1219
Telephone: (818) 576-5313
Facsimile: (818) 576-6202

20062338-013402